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Attorney Docket No. 826.1940

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Fumio FUTAMI et al.

Application No.: 10/809,841

Group Art Unit: 2828

Filed: March 26, 2004

Examiner:

For: MULTI-WAVELENGTH LIGHT SOURCE APPARATUS

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☒ Copy(ies) of IDS citation(s), except for U.S. Patents and U.S. Patent Application publications for applications filed on or after June 30, 2003, in accordance with OG Notice of August 5, 2003.
- 1c. ☐ English language copy of a communication(s) from a foreign Patent Office or a PCT International Search Report.
- 1d. ☒ English language translation (complete, Abstract or relevant portion(s)) attached to non-English language publications as indicated on the attached Form PTO-1449.
- 1e. ☒ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of non-English publications.
- 1f. ☐ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☐ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☒ This Information Disclosure Statement is filed under 37 CFR § 1.97(b):

(Check either Item 2a or 2b or 2c or 2d)

- 2a. ☐ Within three months of the filing date of a national application;
- 2b. ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- 2c. ☒ Before the mailing of a first Office Action on the merits; or
- 2d. ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

3. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND
- (Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)*
- 3a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; OR
- 3b. ☐ The \$180.00 fee set forth in 37 CFR § 1.17(p) is:
- ☐ enclosed.
- ☐ to be charged to Deposit Account No. 19-3935.
4. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND
- 4a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; AND
- 4b. ☐ The \$180.00 fee set forth in 37 CFR § 1.17(p) is:
- ☐ enclosed.
- ☐ to be charged to Deposit Account No. 19-3935.
5. ☐ Statement under § 1.97(e) *(applicable if Item 3a or Item 4a is checked)*
- (Check either Item 5a or 5b)*
- 5a. ☐ In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
6. ☐ This is a continuation/divisional/continuation-in-part application under 37 CFR § 1.53(b).
- (Check appropriate Items 6a and/or 6b)*
- 6a. ☐ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).
- 6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, are provided herewith.

7. ☐ This is a Request for Continued Examination under 37 CFR § 1.114.
(Check either Item 7a or 7b)
- 7a. ☐ The Issue Fee has not been paid.
- 7b. ☐ A Petition to Withdraw from issue under 37 CFR § 1.313(c) is filed concurrently herewith or has been granted. A Request for Continued Examination under 37 CFR § 1.114, after payment of the Issue Fee, is proper in accordance with 37 CFR § 1.114(a), respectively.
8. ☐ This is a Supplemental Information Disclosure Statement.
(Check either Item 8a or 8b)
- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on _____.
- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR §§ 1.97 and 1.98, mailed _____.
9. ☐ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
(Check appropriate Items 9a, 9b, 9c and/or 9d)
- 9a. ☐ satisfied for the non-English language publication(s) cited on the enclosed "English language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP § 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, 8th Ed., Rev. 2)
- 9b. ☐ set forth in the application.
- 9c. ☐ satisfied for the non-English language publication(s) indicated on the attached Form PTO-1449 as having an English language translation (complete or relevant portion(s)) attached thereto .
- 9d. ☐ enclosed as Attachment 1(e), hereto.
10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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Sheet 1 of 3

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 826.1940	APPLICATION NO. 10/809,841
LIST OF REFERENCES CITED BY APPLICANT <i>(Use several sheets if necessary)</i>		FIRST NAMED INVENTOR Fumio FUTAMI et al.	
		FILING DATE March 26, 2004	GROUP ART UNIT 2828

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	AA	DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	5,912,911	06/15/99	Usami et al.			
	AB	2002/0041618	04/11/02	Watanabe et al.			
	AC	6,081,355	06/27/00	Sharma et al.			
	AD	5,923,683	07/13/99	Morioka et al.			
	AE	5,471,490	11/28/95	Liedenbaum et al.			

FOREIGN PATENT DOCUMENTS

	AF	DOCUMENT NO.	DATE	COUNTRY	TRANSLATION YES NO	ABSTRACT
	AF	2001-264830	09/26/02	Japan		X
	AG	2002-236301	08/23/02	Japan		X
	AH	6-3711	01/14/94	Japan		X
	AI	6-43514	02/18/94	Japan		X
	AJ	9-326528	12/16/97	Japan		X
	AK	9-318832	12/12/97	Japan		X

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AL	TRANSLATION YES NO
	AL	<div style="border: 1px solid black; padding: 5px;"> Hiroyuki TSUDA et al., "Second-and Third-Order Dispersion Compensator Using a High-Resolution Arrayed-Waveguide Grating", IEEE Photonics Technology Letter, vol. 11, No. 5, May 1999, pp. 569-571 </div>
	AM	<div style="border: 1px solid black; padding: 5px;"> A. M. WEINER et al., "Programmable Femtosecond Pulse Shaping by Use of a Multilevel Liquid-Crystal Phase Modulator", Optics Letters, vol. 15, No. 6, March 15, 1990, pp. 326-328 </div>
EXAMINER		DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 826.1940	APPLICATION NO. 10/809,841
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*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	BA						
	BB						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES	NO
	BC	2003-29645	11/30/00	Japan			Abstract	
	BD	10-223959	08/21/98	Japan			Abstract	
	BE	5-257176	10/08/93	Japan			Abstract	
	BF	6-291398	10/18/94	Japan			Abstract	
	BG	9-236834	09/09/97	Japan			Abstract	
	BH	2001-60734	03/06/01	Japan			Abstract	
	BI	2001-249367	09/14/01	Japan			Abstract	
	BJ	2002-250946	09/06/02	Japan			Abstract	
	BK	6-11750	01/21/94	Japan				X

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	BM	Hiroaki SANJOH et al., "Multiwavelength Light Source with Precise Frequency Spacing Using a Mode-Locked Semiconductor Laser and an Arrayed Waveguide Grating Fiber", IEEE Photonics Technology Letters, Vol. 9, No. 6, June 1997, pp. 818-820
	BO	
	BP	
	BQ	

EXAMINER	DATE CONSIDERED
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*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	CA						
	CB						
	CC						
	CD						
	CE						
	CF						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES	NO
	CG	8-122833	05/17/96	Japan			Abstract	
	CH	8-234250	09/13/96	Japan			Abstract	
	CI	8-234249	09/13/96	Japan				X
	CJ	9-244076	09/19/97	Japan				X
	CK	2002-77052	03/15/02	Japan				X
	CL							

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	CM	
	CN	
	CO	
	CP	
EXAMINER		DATE CONSIDERED
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ATTACHMENT 1(e)

EXPLANATIONS OF RELEVANCY OF REFERENCES	ATTORNEY DOCKET NO.	APPLICATION NO.
	826.1940	10/809,841
	FIRST NAMED INVENTOR	
	Fumio FUTAMI et al.	
	FILING DATE	GROUP ART UNIT
	March 26, 2004	2828

U.S. Patent 5,912,911 (Reference AA) corresponds to Japanese Patent Publication 9-326528 (Reference AJ) and provides an English language description of the invention disclosed therein.

U.S. Patent 5,471,490 (Reference AE) corresponds to Japanese Patent Publication 6-11750 (Reference BK) and provides an English language description of the invention disclosed therein.

U.S. Patent 5,923,683 (Reference AD) corresponds to Japanese Patent Publication 8-234249 (Reference CI) and provides an English language description of the invention disclosed therein.

U.S. Patent 6,081,355 (Reference AC) corresponds to Japanese Patent Publication 9-244076 (Reference CJ) and provides an English language description of the invention disclosed therein.

U.S. Patent Application Publication 2002/0041618 (Reference AB) corresponds to Japanese Patent Publication 2002-77052 (Reference CK) and provides an English language description of the invention disclosed therein.